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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,523	10/31/2003	Paul Broyles	200316605-1	4202

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EXAMINER
MANOSKEY, JOSEPH D

ART UNIT	PAPER NUMBER
2113	

DATE MAILED: 09/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/699,523	BROYLES, PAUL
	Examiner	Art Unit	
	Joseph D. Manoskey	2113	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>31 October 2003</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-24</u> is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-24</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>31 October 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>8/29/06</u>.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 101

1.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2.   Claims 13-24 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 13-24 cite "A machine-readable storage or transmission medium", this is non-statutory subject matter. The Examiner suggests to the Applicant to change the limitation to read "A computer readable storage medium".

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4.   Claims 1-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Klein et al., U.S. Patent 6,145,102, hereinafter referred to as "Klein".

5.   Referring to claim 1, Klein teaches a computer executing a self test of

components of the computer which have there status monitored, this is interpreted as a

method of verifying compatibility of components in a computer system (See Col. 1, lines

22-30 and Col. 2, lines 54-59). Klein teaches monitoring the power supply with the

actual voltage and current levels being reported. Set limits can be monitored and an

error message can be transmitted in the event the limits are exceeded (See Col. 3, line

64 to Col. 4, line 5). This is interpreted as reading, from at least one CPU register, a

CPU maximum power value indicating the maximum power the CPU is rated to

consume during operation, determining a host maximum power value indicating the

maximum power the computer system is rated to supply, and if the CPU maximum

power value exceeds the host maximum power value, invoking a first error handler.

6.   Referring to claim 2, Klein discloses monitoring temperatures in the computer

and running a fan faster depending on the reading of the temperature, this is interpreted

as reading, from at least one CPU register, a CPU maximum temperature value

indicating the maximum temperature at which the CPU is rated to operate, determining

a host minimum temperature value indicating the minimum CPU temperature the host is

rate to maintain, and if the host minimum temperature value exceeds the CPU

maximum temperature value, invoking a second error handler (See Col. 3, lines 53-57

and Col. 4, lines 32-45).

7.   Referring to claim 3, Klein teaches a transmission of an error message in the
event of any computer failure which inactivates various components, this is interpreted
as the first and second error handlers are the same error handler (See Col. 1, lines 39-
43).

8.   Referring to claim 4, Klein discloses the computer executing a self-test form the
boot ROM at boot up, this is interpreted as the CPU maximum power value and the
CPU maximum temperature value are read from the same CPU register (See Col. 2,
lines 54-59).

9.   Referring to claim 5, Klein teaches a power supply monitor with limits set therein,
this is interpreted as determining the host maximum power value comprises identifying
a motherboard and a chassis of the computer system (See Col. 4, lines 2-5).

10.   Referring to claim 6, Klein teaches monitoring the power supply which includes
power supply voltages, this is interpreted as identifying the motherboard comprises
determining voltage regulation characteristics of the motherboard (See Col. 3, lines 64-
66).

11.   Referring to claim 7, Klein discloses the computer executing a self-test form the
boot ROM at boot up, this is interpreted as identifying the motherboard comprises
reading a register on the motherboard (See Col. 2, lines 54-59).

12.   Referring to claim 8, Klein teaches monitoring the power supply and monitoring

temperatures in the chassis of the computer, this is interpreted as identifying the

chassis comprises determining power supply and cooling characteristics of the chassis

(See Col. 3, lines 47-57).

13.   Referring to claim 9, Klein discloses a chassis intrusion sensor coupled to an

interface, this is interpreted as identifying the chassis comprises reading hardwired pins

of a chassis connector (See Col. 58-60).

14.   Referring to claim 10, Klein teaches monitoring the power supply and monitoring

temperatures in the chassis of the computer, this is interpreted as the host minimum

temperature value is determined responsive to cooling characteristics of a chassis of

the computer system and to the maximum CPU power value (See Col. 3, lines 47-57).

15.   Referring to claim 11, Klein teaches that upon failure of the self test the computer

presents and error message on a screen, this is interpreted as the first error handler

causes an error message to be displayed (See Col. 2, lines 63-65).

16.   Referring to claim 12, Klein discloses the power supply monitoring can turn off

the power, this is interpreted as the first error handler causes the computer system to be

powered down (See Col. 4, lines 41-45).

17.   Referring to claim 13, Klein teaches a computer executing a self test of

components of the computer which have there status monitored from a boot ROM, this

is interpreted as a machine-readable storage or transmission medium containing code

that, when executed on a computer system, causes the computer system to perform a

method of verifying compatibility of components in a computer system (See Col. 1, lines

22-30 and Col. 2, lines 54-59).

       Klein teaches monitoring the power supply with the actual voltage and current

levels being reported. Set limits can be monitored and an error message can be

transmitted in the event the limits are exceeded (See Col. 3, line 64 to Col. 4, line 5).

This is interpreted as reading, from at least one CPU register, a CPU maximum power

value indicating the maximum power the CPU is rated to consume during operation,

determining a host maximum power value indicating the maximum power the computer

system is rated to supply, and if the CPU maximum power value exceeds the host

maximum power value, invoking a first error handler.

18.   Referring to claim 14, Klein discloses monitoring temperatures in the computer

and running a fan faster depending on the reading of the temperature, this is interpreted

as reading, from at least one CPU register, a CPU maximum temperature value

indicating the maximum temperature at which the CPU is rated to operate, determining

a host minimum temperature value indicating the minimum CPU temperature the host is

rate to maintain, and if the host minimum temperature value exceeds the CPU

maximum temperature value, invoking a second error handler (See Col. 3, lines 53-57 and Col. 4, lines 32-45).

19.   Referring to claim 15, Klein teaches a transmission of an error message in the event of any computer failure which inactivates various components, this is interpreted as the first and second error handlers are the same error handler (See Col. 1, lines 39-43).

20.   Referring to claim 16, Klein discloses the computer executing a self-test form the boot ROM at boot up, this is interpreted as the CPU maximum power value and the CPU maximum temperature value are read from the same CPU register (See Col. 2, lines 54-59).

21.   Referring to claim 17, Klein teaches a power supply monitor with limits set therein, this is interpreted as determining the host maximum power value comprises identifying a motherboard and a chassis of the computer system (See Col. 4, lines 2-5).

22.   Referring to claim 18, Klein teaches monitoring the power supply which includes power supply voltages, this is interpreted as identifying the motherboard comprises determining voltage regulation characteristics of the motherboard (See Col. 3, lines 64-66).

23.   Referring to claim 19, Klein discloses the computer executing a self-test form the

boot ROM at boot up, this is interpreted as identifying the motherboard comprises

reading a register on the motherboard (See Col. 2, lines 54-59).

24.   Referring to claim 20, Klein teaches monitoring the power supply and monitoring

temperatures in the chassis of the computer, this is interpreted as identifying the

chassis comprises determining power supply and cooling characteristics of the chassis

(See Col. 3, lines 47-57).

25.   Referring to claim 21, Klein discloses a chassis intrusion sensor coupled to an

interface, this is interpreted as identifying the chassis comprises reading hardwired pins

of a chassis connector (See Col. 58-60).

26.   Referring to claim 22, Klein teaches monitoring the power supply and monitoring

temperatures in the chassis of the computer, this is interpreted as the host minimum

temperature value is determined responsive to cooling characteristics of a chassis of

the computer system and to the maximum CPU power value (See Col. 3, lines 47-57).

27.   Referring to claim 23, Klein teaches that upon failure of the self test the computer

presents and error message on a screen, this is interpreted as the first error handler

causes an error message to be displayed (See Col. 2, lines 63-65).

28.   Referring to claim 24, Klein discloses the power supply monitoring can turn off

the power, this is interpreted as the first error handler causes the computer system to be

powered down (See Col. 4, lines 41-45).

Conclusion

29.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. The following are closely related power supply and temperature

monitoring systems

U.S Patent 4,607,330 to McMurray et al.

U.S. Patent 6,308,289 to Ahrens et al.

U.S. Patent 6,832,324 to Mullins et al.

U.S. Patent 7,039,836 to Powers et al.

U.S. Patent 7,080,285 to Kosugi et al.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Joseph D. Manoskey whose telephone number is (571)

272-3648. The examiner can normally be reached on Mon.-Fri. (7:30am to 4pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Robert Beausoliel can be reached on (571) 272-3645. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JDM
September 16, 2006

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SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100